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Appropriations Policy Brief

H.R. 2638 — Homeland Security Appropriations Act for FY 2008

BY THE NUMBERS:

In Millions of Dollars

	FY07	FY08 Bush Request	FY08 Committee	Cmte v. Request	Cmte v. FY07
Appropriations	31,905	34,189	36,254	+2,065	+4,349
<i>Emergency Approps</i>	<i>1,829</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>-1,829</i>
TOTAL	33,734	34,189	36,254	+1,062	+2,520

Excluding Emergency Appropriations, the Committee Bill is:

- **\$4.3 billion or 13.6% more than last year**
- **\$2 billion or 6% more than the request**

Budget Compliance: According to CBO, the bill is within the 302(b) allocation of the Homeland Security Appropriations Subcommittee and thus complies with the Budget Act.

Earmarks:

Chairman Obey has stated that the Appropriations Committee will not include earmarks until conference.

In the FY 2007 DHS Appropriations Conference Report, earmarks were included for:

Burlington Northern Railroad Bridge in Burlington, Iowa	\$1,000,000
Canadian Pacific Railway Bridge in LaCrosse, Wisconsin	2,000,000
Chelsea Street Bridge in Chelsea, Massachusetts	3,000,000
Elgin, Joliet, and Eastern Railway Company Bridge in Morris, Illinois	1,000,000
Fourteen Mile Bridge in Mobile, Alabama	7,000,000
Galveston Causeway Bridge in Galveston, Texas	2,000,000
Total	16,000,000

All of the above were included under the **alteration of bridges** account and **ALL** of the \$16 million for this account consisted of earmarks.

As noted below, although the bill contains no earmarks (any earmarks will be included in conference), the alteration of bridges account is a likely placeholder for potential earmarks and it is funded at the same level as FY 2007 in this legislation—\$16 million.

Items of Note:

Office of the Under Secretary for Management: \$89 million or 60 percent increase compared to FY 2007 (from \$149 million in FY 2007 to \$238 million in this legislation).

Border Security Fencing, Infrastructure, and Technology: \$1 billion, same as President's request, \$188 million below FY 2007.

Prohibits funds from being used to build the fence on certain federal lands without coordination with the affected agency and unless the Secretary "makes every effort to minimize impacts on wildlife and natural resources."

Also, prohibits funds from being used to build the fence unless the Secretary "formally consults with affected State and local communities to solicit their advice and support of such project or activity."

U.S. Immigration and Customs Enforcement: Requires the secretary, at least once every month, to obtain information from every prison in the U.S. on incarcerated aliens who may be deportable and to make every reasonable effort to depot those aliens upon their release from custody.

Alteration of Bridges: \$16 million, same as FY 2007. This is a potential placeholder for earmarks included in conference (see Earmarks).

Firefighter Assistance Grants: \$800 million—\$500 million more than the President's request and \$138 million above FY 2007.

Outsourcing/A-76 Activities: Prohibits funds from being used under OMB Circular A-76 (governing the federal government's outsourcing policies) "to process or approve a competition" with regard to employees of the Citizenship and Immigration Services. In other words, this provision would prohibit employees of the Citizenship and Immigration Services from having to compete with private-sector entities for certain functions of the bureau.

Port Security: \$400 million—\$190 million above both the President's request and the FY 2007 level.

Rail and Transit Security: \$400 million—\$225 million above both the President's request and the FY 2007 level.

Buy America: Requires none of the funds be used in violation of the Buy America Act.

TSA Screening Cap: The bill does not maintain the cap on TSA screeners, which is currently set at 45,000.

Davis-Bacon: The bill would prohibit funds appropriated in this Act from being used for a grant or contract for any project that does not comply with Davis-Bacon prevailing wage requirements (subject to presidential waiver authority during a national emergency).

Davis-Bacon Act **requires** that each federal government contract worth over \$2,000 for the construction, alteration, or repair of public buildings or public works (including airports and public housing) set the minimum wages to be paid to laborers and mechanics employed under the contract at no less than the locally prevailing wages paid on projects of a similar character (as determined by the Secretary of Labor). Included in “wages” are the basic rates of hourly pay and all fringe benefits (when not otherwise required by other federal, state, or local law), such as pensions, health care benefits, compensation for occupational injury, unemployment insurance, life insurance, disability or sickness insurance, accident insurance, vacation pay, and defrayments of apprenticeship costs. Such prevailing wages are often based on union-negotiated contracts in a locality.

To read an RSC backgrounder on the problems with Davis-Bacon, visit this webpage:
http://www.house.gov/hensarling/rsc/doc/Davis-Bacon_Talking_Points_030507.pdf.

Funding Summaries:

In Thousands

	FY07 Enacted	FY08 Request	FY08 Cmte	Cmte vs. FY07	Cmte vs Request	% vs. FY07	% vs. Request
Departmental Operations.....	1,011,871	1,096,981	1,025,046	13,175	-71,935	1.30%	-6.56%
Office of the Fed. Coord. For Gulf Coast Rebuilding	3,000	3,000	3,000	0	0	0.00%	0.00%
Inspector General.....	85,185	99,111	99,111	13,926	0	16.35%	0.00%
Immigration and Customs Enforcement.....	3,964,281	4,168,000	4,183,000	218,719	15,000	5.52%	0.36%
Aviation Security.....	2,311,814	2,242,934	2,488,310	176,496	245,376	7.63%	10.94%
Transportation Security Administration.....	3,628,291	3,608,352	3,827,828	199,537	219,476	5.50%	6.08%
U.S. Coast Guard.....	7,233,238	7,272,232	7,172,137	-61,101	-100,095	-0.84%	-1.38%
U.S. Secret Service.....	1,279,158	1,398,996	1,395,896	116,738	-3,100	9.13%	-0.22%
Firefighter Assistance Grants.....	662,000	300,000	800,000	138,000	500,000	20.85%	166.67%
U.S. Fire Administration.....	41,349	43,300	43,300	1,951	0	4.72%	0%
Total, Preparedness.....	6,981,075	6,206,704	8,285,830	1,304,755	2,079,126	18.69%	33.50%
Total, FEMA.....	5,947,476	5,042,204	7,132,670	1,185,194	2,090,468	19.93%	41.46%
Citizenship and Immigration Services.....	181,990	30,000	30,000	-151,990	0	-83.52%	0.00%
Science and Technology.....	761,794	799,100	777,112	15,318	-21,988	2.01%	-2.75%

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